

## **COST RECOVERY SECTION BRIEFING PAPER**

**DATE:** February 24, 2005

**TOPIC:** Gulfco Marine Maintenance Superfund Site

**DEADLINE OR DUE DATE:**

**ACTION REQUIRED:**

**BACKGROUND:**

The Gulfco Marine Maintenance Superfund Site ("Site"), consisting of approximately forty acres, is located on the Intracoastal Canal near Freeport, Texas. The Site property contains wetlands and is adjacent to a residential neighborhood. From 1971 to 1998, the Site was occupied by a barge cleaning operation. EPA sent a Special Notice Letter on July 14, 2004 inviting the identified PRPs to negotiate with the EPA to conduct a RI/FS under an AOC. The PRPs declined the initial offer to negotiate the RI/FS. A month later, the PRPs sent a October 29, 2004 letter committing to do the RI/FS. EPA reopened negotiations with the PRPs. An AOC and SOW was discussed over a series of meetings and EPA offered a final draft of the AOC and SOW to the PRPs on February 17, 2005. The PRPs refused to sign the AOC and suggested cleanup should be done under the State Voluntary Cleanup program. The PRPs submitted their proposal on February 23, 2005.

**CURRENT STATUS:**

The Site is awaiting a decision as to how to proceed with the cleanup in light that the PRPs refuse to voluntarily do a RI/FS after being invited to negotiate the issue under a Special Notice Letter was sent and the PRPs' proposal to skip the RI/FS and do cleanup under the State Voluntary Cleanup program.

**TECHNICAL CONCERNS:**

- Cleanup may be complicated by probable DNAPL in ground water under the former impoundment location.

**FUTURE/RECOMMENDED ACTIONS:**

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